

HUIE---TRANSCRIPT OF INTERVIEW ON CHANNEL 13
NEW YORK CITY, NEW YORK---DECEMBER 13, 1974

HAYES: Good evening for Roundable. I'm Harold Hayes. Tonight we're going to take a new look at an old and troublesome question: Who killed Martin Luther King, Jr.? James Earl Ray pled guilty six years ago, of course, and now he says he wants to change his plea to not guilty, and he wants to stand a new trial. In a recent hearing, Ray said he didn't do it, and he knows who did. He also said he was railroaded by two lawyers and by a writer named William Bradford Huie. Mr. Huie is a man who has been in the thick of things through most of his career as a novelist and investigative reporter. In 1956 he broke the Emmett Till murder case, and in the early 60's his investigative reporting led to the conviction of the murderers of three Mississippi freedom fighters--Schwerner, Chaney, and Goodman. As a result of all of this, Mr. Huie has found it necessary from time to time to live in Alabama with spotlights and shotguns loaded in the corners and police dogs--no longer true, I assume, Mr. Huie, is that?--

HUIE: Only partially, now. Not, not to the extent--

HAYES: You--have you reduced the force by half, or, or does the--

HUIE: [Interrupting and speaking over Hayes] Well, now, I have a new film called "The Klansman," which when its shown in Alabama I may have to double the force. [Laughter from Hayes]

HAYES: Tell me this, Mr. Huie, I, I think that, I certainly speak for myself and probably many of our viewers who are vague about the circumstances surrounding why James Earl Ray never stood trial in the first place, six years ago.

HUIE: Well, first of all, Ray is the murderer of Dr. King, and he had two lawyers, and his lawyer when he pleaded guilty was Percy Foreman, a very famous lawyer from Houston, Texas. Mr. Foreman carefully investigated the case, found that there was no defense, had no way in which he could offer a defense for Ray, because Ray was a, an, an habitual criminal who had been in prison most of his life, he was not the kind of man that you would put on the stand so that his entire record would be presented. And besides he had no--he just had no defense. So Mr. Foreman, in that posi-

HUIE: tion, uh, recommended to Ray that he plead guilty and get a 99 year prison sentence rather than risk a death sentence. The death penalty was still, uh, hadn't been abolished by the Supreme Court then. And, so, Ray pleaded guilty on the recommendation of his attorney, Percy Foreman. And Mr.--

HAYES: Was there evidence submitted at the time of the plea?

HUIE: Oh, yes. Yes. Yes, this--there was a partial trial then, on a plea of guilty. Uh, the State presented in brief form its evidence against Ray, what it would have presented at--they made a presentation. They presented st-, more, the ev- rifle, the ev- evidence they had against King. I mean, against Ray. And then Ray was stood--stood up and was questioned by the Judge as to whether he had entered his plea voluntarily, whether he understood everything, whether he did kill Dr. King--he says, "yes," answered "yes," that he did, and then his plea was accepted, and he went, went on to Tennessee State Prison, where he's been for the more than, for the more than six years, now.

HAYES: At what time did he seek to change his plea? How long ago did that happen? Why's it just now coming to light?

HUIE: All right, Oh, Ray. /Ray began seeking a trial--Ray, having been in prison most of his adult life is a sort of a, of a prison lawyer himself. He's spent much of his time studying law and, and, uh, he's in--like Caryl Chessman once did, he tried to defend himself once or twice, fired his lawyers and wanted to defend himself. So Ray began filing documents himself, then he quickly got other lawyers--who--

HAYES: Why did he change his plea, though? Did that happen almost immediately after the, uh?--

HUIE: No. He didn't change a plea. But he, he made a routine application for a new trial. And for a new--and, and suggested that he wanted to change his plea.

HAYES: But that was almost immediately after, uh--

HUIE: Yes. He did that. And then there was another, another technicality that enters in there. The Judge who accepted his plea died suddenly a week or so after he had accepted Ray's plea. So there was the question about technicalities as to what had reached--what communication had reached the, had reached the Judge.

HAYES: And that accounts for the long strung-out movement to--

HUIE: Long strung-out thing, and also there's a matter of attorneys. Mr., Mr. Foreman quit Ray's defense after he pleaded guilty. Then another group of lawyers come on--see, they're not paid anything. I paid Mr. Foreman and Mr. Hanes.

HAYES: Well, I want to get into that, but--there still hangs over that case, does there not, disagreement about the question of conspiracy, and so that's a--

HUIE: [Interrupting and overriding Hayes] Well, there'll always be that, there's, there, there, of course, the people who have--the first question about Ray, after Ray killed Dr. King and was subsequently awested [sic], arrested, arrested in London--the first question was where did he get the money? Ray, uh--I don't know of any knowledgeable person at that time who doubted that Ray was the murderer of King, of Dr. King, or, was in-, was heavily involved in it. The question was, was--did he have assistance, and above all, how did he get the money to get to Canada, and so forth. And to England.

HAYES: But Hanes, who was his first lawyer . . .

HUIE: Right.

HAYES: . . . a man from Georgia, I believe. . .

HUIE: From Alabama. Birmingham.

HAYES: Birmingham, argued that he was part of a conspiracy, and believed it at the time and still does today. Is that correct?

HUIE: Mr. Hanes was first invol--uh, uh, Ray reluctantly engaged Mr. Hanes to defend him. Of course, Ray had no money. Uh, Ray had, uh, had hoped for a famous lawyer to defend him. Uh, and he had tried to get Mr. Lee Bailey, of Boston, to defend him. And Ray, after he was arrested in London was of the opinion that all ad--a lot of famous lawyers in the United States would want to defend him for nothing. Mr. Bailey brushed him off and told him he had no interest in defending him. Then Ray was rather startled by this. He'd have thought that as the murderer of Dr. King, he would--famous lawyers would--he wrote to me that he expected a battery of famous lawyers to defend him. But, uh, when

HUIE: none appeared, Ray then, having been in Birmingham part of the time, wrote, and having known Mr. Hanes, Mr. Hanes got some notoriety when he defended the Ku Klux Klansman who killed Mrs. Viola Liuzzo at the conclusion of the Selma march.

HAYES: So he went to Hanes.

HUIE: He, he he had his British court-appointed lawyer to contact Mr. Hanes and ask Mr. Hanes to come to London.

HAYES: Now that brings us to you.

HUIE: Right.

HAYES: And your entry into this case . . .

HUIE: Right.

HAYES: . . . because there--in his petition there are three principals: you, Perry Foreman and uh--Percy Foreman . . .

HUIE: Percy Foreman, right.

HAYES: And Mr. Hanes. Now how did you get into this tangled web?

HUIE: First, I'd known Dr. King from the beginning. Uh, secondly, I was, uh, aware of all this yearning on the part of a lot of Americans to believe in conspiracy, in the John Kennedy murder and so forth. Therefore, I wanted to know, as everybody else did, I suppose, whether there was somebody else involved with Ray. And, uh, particularly whether anybody hired him, and who hired him. I didn't expect any of this to come out a trial, realistically, as a court reporter . . .

HAYES: Why not?

HUIE: Well, because in the United States, uh, defendants do not--the State cannot call a defendant to the stand. Now, the State of Tennessee or the Government of the United States would have no right to question Ray, and no opportunity to every question Ray. Therefore, only if a man like me became involved--and so I made Ray a proposition, through Mr. Hanes. Uh, and, uh, that I would pay for his defense.

HAYES: How much did you offer?

HUIE: I paid, I paid a total of \$40,000. I paid Mr. Hanes

HUIE: \$10,000. Of my own money from the beginning. Mr. Hanes made four trips to London. Uh, with, Ray--Mr. Hanes is not a wealthy man. Somebody--where could he get the money? Ray thought, and Ray was told, by lawyers for the Ku Klux Klan, from Georgia, that a national campaign to raise funds would raise plenty of funds. Mr. Hanes didn't believe that, nor did anybody else.

HAYES: Well, you have a reputation for using money . . .

HUIE: Oh, yes.

HAYES: . . . in cases like this. I believe it happened in the Emmett Till case and also in the Schwerner case. Didn't it?

HUIE: Oh, yes, I have never--I still do it. If I, I'm, I this--the great advantage that I have had over other people who work for magazines and newspapers, is that I've always gone to these trials, gone to investigate these cases with a suitcase full of money--\$4-5000. There was a time when newspapers operated this way in the United States. When a top reporter was sent and paid, and authorized to pay \$2,000 for information, and then the, that stopped among the press. The initiating press has virtually disappeared, so I've, I've had no competition. So my great advantage, in the Till case and others, I can go there after a man had pleaded not guilty and been found not guilty. I can go find 'em and say, all right, come in and tell me the truth through your lawyer and let me check and so forth, and I'll pay you \$4,000.

HAYES: Was this money, you say its from your own money, but ultimately its recoverable from your publishers or are you doing it . . .

HUIE: [Interrupting and overriding Hayes] Well, sure. Oh, no. I expect a bit[?]. I'm not doing it because I like to give murderers money. I'm doing it because I want, I want information, and, of course, I expect to recover it. Course I recovered a great deal, I did a lot of work for Look, for as long as Look existed, I was a producer for Look, and, uh, and I had no trouble dealing with Look, either their General Counsel, a man like Dan Mish, the great advantage Look had as a publication, what it had men who could--you could call them on the telephone, they didn't have to com--they could commit the magazine up to \$25,000 and send you the check the next day. If you . . . ?

HAYES: Just to get off the track for one moment, on that very question, I remember in the late 60's, and as a matter of

HAYES: fact, in '68 there was a growing feeling among publishers that the possible subsidization of books of this kind raised a question of the culpability of publishers, at least indirectly, insofar as offering a stake to would-be assassins and perhaps even contributing to the motive for their, their actions. Did this ever worry you, or?--

HUIE: Yes, it has. It has. I, I'm not sure I've been right in all of these things. I have proceeded on the assumption that, that we should try to get the truth. American courtrooms--truth is not established in American courtrooms because in an American courtroom you can't question, uh, the defendant. The defendant doesn't have to take the stand, and in principle the highest paid official in the American courtroom is the defense lawyer who's there not to help establish truth but to hide it.

HAYES: So the money becomes the great leveler.

HUIE: That's right. And I have used money to try to establish the truth. I did it in the Till case . . .

HAYES: With great success.

HUIE: . . . I did it in the, I did it in the Ray case . . .

HAYES: Yeah.

HUIE: . . . and the book I published, uh, called He Slew The Dreamer, I answer, to my satisfaction, all of the questions, and show that Ray did kill and show why he killed Dr. King.

HAYES: Let's go to that story. After you made these contracts--you did make contracts with, uh--

HUIE: Oh, yes, I made a contract with Ray.

HAYES: . . . Hanes.

HUIE: With, uh--I made it with Ray. Through Hanes.

HAYES: Uh, huh.

HUIE: That had to be done two ways. First, I--I was not allowed access to Ray. Secondly, uh, Ray could not have any money of his own. Because if he did, through civil actions, Mrs. King could easily have recovered it. Could have easily seized it.

HAYES: Ray understood that.

HUIE: Ray understood that. Ray understood, uh, recently, I,,uh, they've, uh, Ray has, was shown a contract that I made the book, which says that no money, none of this money will go to James Earl Ray, and he pretended to be greatly surprised by this and that this was evidence of chicanery on my part and his lawyers'. Actually, Ray knew all about it, knew that it had to be done that way, because if Dell Publishing Company had, had agreed to pay me \$25,000, or to pay Ray \$25,000, Mrs. King could have seized it in the next day. Ray knew that and knew that any money used for him had to be covered by a lawyer's lien. But only knowledgeable people, you see, know these things. That's why, that's why it remains so confusing. ?

HAYES: Yes. ?

HUIE: And why people like you have to try the truth and establish it for your viewers. ?

HAYES: Let me ask you now, after all of these arrangements were made, what happened insofar as Ray's account to you is concerned? ?

HUIE: My agreement with Ray was that I would not, prior to the trial, I would discuss Ray's life up to about three days before the murder. And I would reveal where he was and what he was doing, which was not even known to the FBI. ?

HAYES: That's correct! ?

HUIE: And I did that. The FBI didn't even know that he'd had plastic surgery. As a matter of fact, the surgeon in Hollywood who had performed the plastic surgery was flabbergasted when I went to him and told him he had performed plastic surgery on the murderer of Dr. King. I did all of these things, and Ray cooperated with me . . . ?

HAYES: But fed you a manuscript of some kind.

HUIE: Oh, yes, he wrote--then these were brought out. Moreover, the Judge allowed, while, while Judge Battle would not allow me to see Ray, he would allow me to send questions in by Ray's attorney, either by Mr. Hanes, and later by Foreman.

HAYES: He didn't feel he had to see the answers?

HUIE: Oh, no, he did not, and he allowed Ray to write at great length to me.

HAYES: Ten thousand words, I believe!

HUIE: Oh, yes, he wrote a lot more but--I first--I furnished Ray--he'd been out of prison about a year when he killed Dr. King--I furnished him a calendar and I said I want you to tell me where you were every day of that year, what you were doing, who you saw and how you, what your source of money was. And he followed this. Was amazing. He had a great memory.

HAYES: Now that's fascinating to me because what you did after you got this account was to backtrack on it and check it out yourself, is that correct?

HUIE: Oh, sure. You must do that, now, you must assume, you see, with a man in his position, an habitual criminal who had been in prison--you must assume that he's lying to you.

HAYES: But you found that his account told you the truth.

HUIE: Yes, up to a point. Up to--moreover, he had a remarkable memory. He could tell me where he spent a night in Canada, and he could describe the scene. I could go there, I could find it.

HAYES: He had an extraordinary ingenuity in this whole escape route that he carried out.

HUIE: Oh, yes, yes. This man has spent his life--he thinks in terms of cops and robbers. He thinks of himself, of himself versus the FBI. And, so, all his life he's thought about escape, how to get out of prisons. Because he'd been very disappointed in it. Because he told his lawyers that--no lawyer--that he could escape from any prison in two years. He hasn't been able to escape from the Tennessee Prison.

HAYES: Yes, apparently not.

HUIE: No.

HAYES: But after, uh, he gave you this account and you checked back on it, you then published two articles in Look Magazine.

HUIE: I did, prior to the trial. ?

HAYES: And you were persuaded that he was part of a conspiracy at this time.

HUIE: I published that Ray and his lawyer believed that there was a conspir--that Ray maintained that there--that he had assistance. That Ray--

HAYES: Did you believe it at that time?

HUIE: I, no, let's say that I didn't take any position whether I believed it or not. I assumed that Ray was lying to me in every case that I couldn't prove that he was telling me the truth. Also--

HAYES: But you could prove he told the truth--

HUIE: Oh, yes, I can prove he told a lot of it. But then I-- there came the point when Ray began lying to me and his lawyers. When it, as long as, and, and those two articles that I published were very useful to Ray because they presented him as a human being. They presented him as a man that was working in a restaurant in Chicago, saving his money, how he got to Canada, he meets a woman who found him not unattractive, and, and, he became a human being. So I, I, I fulfilled my part of the bargain with Ray. ?

HAYES: But you changed your mind, along about that time.

HUIE: I changed my mind when it got down to the nitty gritty. I, uh, there was a period of about five days when I thought that someone in New Orleans had put up money for it. I thought I knew who it was. I thought that--

HAYES: \$12,000, was that the--?

HUIE: Yeah, I thought that, I thought that the Bureau was going to make an arrest. Uh, but this --

HAYES: What were your suspicions about the nature of a, of a quote "conspiracy" at that point?

HUIE: Well, thought that this, I, uh, the only part of the conspiracy--I never doubted that Ray was the murderer--but I //

HUIE: thought that there had been a man, in New Orleans---

HAYES: Raoul.

HUIE: . . . who paid Ray. Who paid Ray. Well, Ray called the figure Raoul because, you see, Ray had criminal contacts because during that year he was making money which is not too difficult because he knew how to, uh, smuggle narcotics and that sort of thing, which is, iis--and he knew how to put a gun in somebody's face and how to hold up a supermarket, which he did in Canada, or how to hold up a loan office, which he did in London. See, the first thing that destroyed any that Ray had been paid was that he didn't have any money when he--soon as he got to Canada he had to hold up the supermarket, soon as he got to England he had, he had to hold up a small loan office. Nobody paid Ray,,that was the first thing--whenever we found that out. But, it was, there was a period of about five days along in September and October, uh, three or four months after the murder, in which I, and others, thought that there could have been somebody who put up some money and somebody who knew about the murder of Dr. King. But, at that point, everything began to fall apart, because Ray began lying to me and to Mr., uh, Hanes. Now, understand, Mr. Hanes had entered a plea of not guilty. Mr. Hanes was very anxious to go to with Ray. He had already pleaded him not guilty. Mr. Hanes is in the position today of a lawyer who pleaded his client not guilty. So, uh, and who wanted, very much wanted to go to trial because he was not a famous lawyer and he hoped to gain fame from it, among other things. Moreover, Mr.--he was a very crafty lawyer, who does know how to choose a white jury who, some of whom may have approved the murder of Dr. King, and who if handled properly might very well hang the jury, in favor of, of, of Martin Luther King [sic].

HAYES: I'm interested to know what specifically changed your mind?

HUIE: Specifically, this: and this is Ray's weakness today. Ray purchased the rifle that, with which Dr. King was killed, in Birmingham. Ray then, who had told all the truth, and I had been able to find the truth and everything, Ray then told Mr. Hanes and told me, that after he purchased the rifle on a certain date--the murder was about five days later--that he did not go back to Atlanta, from where he had come to Birmingham, that he went into North Alabama, he went on over to Mississippi. He told us approximately

HUIE: where he had a practice with the rifle, fired some practice shots. He told us of a motel, uh, in Mississippi where the, where he met somebody, and now he contends that the ri--that he turned the rifle over to somebody else in Mississippi, at a motel in Mississippi. M

HAYES: And the failure of that to check out was the--

HUIE: All right. Well, Mr. Hanes and I spent two days looking for this motel. Ray had wrapped around the rifle was a bedspread, when Ray dropped the rifle after he killed Dr. King. We were looking for a bedspread. We looked at bedspreads in motels. Everything of that sort. Later, of course, Ray told Mr. Foreman he got the bedspread in a motel in, in California. But we were looking for it. Now, then we discovered and I discovered through, uh, research in Atlanta, that Ray had been back in Atlanta. Carried his laundry, pressings. He'd been back there, uh, following Dr. King. ?

HAYES: How did you find that out? What was the specific information that you--

HUIE: The specific information was finding a laundry and cleaning shop about two blocks from where Ray was staying, and, and, and, and getting the dates off of them, and Ray had been back there. Of course, the FBI also later got this information.

HAYES: I abhor the whole notion of conspiracy, I think, as much as you do. Let me hypothesize on one thing, though. If I were James Earl Ray, and if I had told you my story, and if I knew you were a, a reporter forthbe underdog, which you have been, all of your career, and that you checked out everything I did for two-thirds of my story, let's say, and confirmed it, and then turned over on the other side of the coin on the other third because you were unable to confirm some aspect of it, or found information which suggested to you that what I had been telling you was wrong, I believe I'd still feel that I would like to have a trial under such circumstances. ?

HUIE: Well, you, you must understand that now, Ray changes lawyers. I would have--I expected Ray to go to trial. I was flabbergasted whenever I learned that he wasn't going to trial. Uh, but, uh, this whole business of, of, Ray--meanwhile, you remember, maybe your viewers remember, you see, Bobby Kennedy had been killed. ?

HAYES: Uh huh.

HUIE: . . . about two months after Dr. King's assassination. Well, famous lawyers did go to Sirhan Sirhan and defend him. This irritated Ray. Ray thought that, why in the world should Sirhan Sirhan be defended by famous lawyers and he couldn't get a famous lawyer to defend him. So he and his brothers launched a big effort to get Mr. Foreman to come in the case. And they, they were successful in getting Mr. Foreman, and whereupon he fired Mr. Mr. Hanes and brought Mr. Foreman in the case, and then things began to change when Mr. Foreman came in the case. Because Mr. Foreman was not Mr. Hanes. Mr. Percy Foreman is a rich man. Mr. Foreman is already established. So-- ?

HAYES: Stay, stay with my hypothesis, though . . .

HUIE: All right.

HAYES: And let's say it's you . . .

HUIE: Right.

HAYES: . . . instead of me. Would you not want a trial under such circumstances, not feel, in fact, that you were due a trial, if, if your story had been checked out by as good a reporter as your are [Huie laughs] and suggested as much accuracy up to that particular point in time?

HUIE: Well, uh, Ray, of course, wanted a trial. Ray would have like to have had a trial because Ray had killed Dr. King to bring a little drama into an otherwise very dull life. He had also killed Dr. King in order to gain status among prisoners. He told Mr. Foreman that he killed Dr. King to, for, for the boys back in Missouri State Prison. /// ?

HAYES: Apparently a parallel through all assassins, isn't it? ?

HUIE: Yes, that's right, that's right. Well, I think more and more people now understand that the motive is killing. The man that deliberately seeks to murder somebody because of an internal need or something, a yearning for recognition, or for status of for something, or to get on television.

HAYES: But do you think that the evidence and the question or a reasonable doubt should entitle him to a new trial? Or a trial?

HUIE: No. I don't think, personally, I have no reason to doubt, and I don't think how any--I don't understand how anybody with the evidence before him could have a reasonable doubt. It is my opinion, that after six years, because of the)

HUIE: death of Judge Battle, because of several other things-- now I will not concede one thing. Ray has, has made the charge that I tried to get him to plead guilty, or something like that, and that Mr. Hanes and Mr. Foreman and I ganged up on him. This is a complete lie. Uh, I didn't do any of those things. I followed my contract with Ray to the letter.

HAYES: And persuaded yourself that . . .

HUIE: [Interrupting and overriding Hayes] After Ray pleaded guilty...

HAYES: Yeah.

HUIE: . . . and it was all over, I then published, uh, at some loss to myself, what I then thought was the truth. And as far as I know, no paragraph of that book has ever been successfully challenged. ?

HAYES: Then let me ask you one last question, because this is the end of this fascinating discussion for me. Do you think he'll get a new trial?

HUIE: Yes. Uh, given that Judge Battle's untimely death, given certain other things, and given the great public interest in conspiracy and so forth, I suspect that he will be given a trial.

HAYES: Thank you very much, Mr. Huie. That's it for Roundtable tonight.